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HOUSE BILL 298

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Gail Chasey

AN ACT

RELATING TO THE TOBACCO SETTLEMENT PROGRAM FUND; REQUIRING THAT  
BALANCES OF APPROPRIATIONS OF THE FUND REVERT TO THE FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 6-4-10 NMSA 1978 (being Laws 1999,  
Chapter 207, Section 2, as amended) is amended to read:

"6-4-10. TOBACCO SETTLEMENT PROGRAM FUND CREATED--  
PURPOSE.--

A. The "tobacco settlement program fund" is created  
in the state treasury and shall consist of distributions made  
to the fund from the tobacco settlement permanent fund. Income  
from investment of the tobacco settlement program fund shall be  
credited to the fund. Beginning in fiscal year 2002, money in  
the tobacco settlement program fund may be appropriated by the  
legislature for any of the purposes specified in Subsection B

.175045.1

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1 of this section and after receiving the recommendations of the  
2 tobacco settlement revenue oversight committee. Balances in  
3 the tobacco settlement program fund at the end of any fiscal  
4 year shall remain in the fund. Unexpended or unencumbered  
5 balances from appropriations made from the fund shall revert to  
6 the fund.

7 B. Money may be appropriated from the tobacco  
8 settlement program fund for health and educational purposes,  
9 including:

10 (1) support of additional public school  
11 programs, including extracurricular and after-school programs  
12 designed to involve students in athletic, academic, musical,  
13 cultural, civic, mentoring and similar types of activities;

14 (2) any health or health care program or  
15 service for prevention or treatment of disease or illness;

16 (3) basic and applied research conducted by  
17 higher educational institutions or state agencies addressing  
18 the impact of smoking or other behavior on health and disease;

19 (4) public health programs and needs; and

20 (5) tobacco use cessation and prevention  
21 programs, including statewide public information, education and  
22 media campaigns."